

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 210 – SB 592

April 2, 2013

**SUMMARY OF ORIGINAL BILL:** Enacts the “High Performing School Districts Flexibility Act”. Defines a “high performing district” as any local education agency (LEA) that satisfies a majority of the following criteria, according to the state report card: has a 90 percent or higher graduation rate; has an average student ACT score of 21 or greater; has a Tennessee Comprehensive Assessment Program (TCAP) three-year average composite curve equivalent (NCE) score of 55 or greater; has a Tennessee Value Added Assessment System (TVAAS) three-year composite curve equivalent (NCE) gain of 1.75 or higher; or meets or exceeds annual achievement and gap closure measurable objectives; and receives an “exemplary” or similar status from the Department of Education. Requires only criteria specified above reported on the state report card to be used when considering whether an LEA is eligible to be declared a high performing district. Criteria that do not apply to a specific LEA shall be removed and the majority of the criteria remaining must be met.

Authorizes any LEA that meets the majority of applicable criteria to declare itself a high performing school district by action of the local board of education. The designation shall begin the July 1 following the declaration and shall last for three years. Authorizes the LEA, at the end of three years, to again declare itself a high performing district if the majority of the criteria continue to be met. Without approval from any state or local government entity, a high performing school district may: utilize a teacher evaluation system different from the one adopted by the state; add educational days to the district’s school calendar, provided the minimum number of statutorily school days are met; may apply to the Commissioner of Education for a waiver of any State Board of Education rule, provided that the waiver does not waive regulatory or statutory requirements related to civil rights, health and safety, public records, immunizations, possession of weapons on school grounds, background checks of personnel, special education services, student due process, parental rights, student assessments and accountability, open meetings, and equivalent instruction time.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

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**SUMMARY OF AMENDMENT (006238):** Deletes and rewrites the bill such that the only substantive change is to authorize LEAs that declare as high performing school districts to appropriate additional funds from local self-sustaining or self-sufficient funds, including the central cafeteria fund and the extended school program fund without seeking approval from any other state or local government entity or unit.

## **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Other Fiscal Impact – Local Education Agencies may appropriate additional funds from self-sustaining or self-sufficient accounts. Any additional appropriations made from such accounts will be permissive and are reasonably estimated to exceed \$50,000 statewide.**

Assumptions for the bill as amended:

- Any increase in state expenditures to grant waivers or approve alternative teacher evaluation systems is estimated to be not significant.
- No change in the Basic Education Program (BEP) funding formula.
- Any permissive increase in local expenditures as a result of using an alternative teacher evaluation system, adding additional days to the school calendar, or receiving a waiver for certain rules and regulations is estimated to be not significant
- Appropriations made from self-sufficient funds are not limited to any minimum amount. It is reasonably estimated that permissive appropriations of local funding will exceed \$50,000 per year statewide.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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